

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

TERRY PETTEWAY, THE
HONORABLE DERRECK ROSE,
and PENNY POPE,

Plaintiffs,

v.

GALVESTON COUNTY, TEXAS,
and HONORABLE MARK HENRY,
in his official capacity as Galveston
County Judge,

Defendants.

Civil Action No. 3:22-cv-57

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 3:22-cv-93

GALVESTON COUNTY, TEXAS,
GALVESTON COUNTY
COMMISSIONERS COURT, and
HONORABLE MARK HENRY, in
his official capacity as Galveston
County Judge,

Defendants.

DICKINSON BAY AREA BRANCH
NAACP, GALVESTON BRANCH
NAACP, MAINLAND BRANCH
NAACP, GALVESTON LULAC
COUNCIL 151, EDNA COURVILLE,
JOE A. COMPIAN, and LEON
PHILLIPS,

Civil Action No. 3:22-cv-117

v.
GALVESTON COUNTY, TEXAS,
HONORABLE MARK HENRY, in
his official capacity as Galveston
County Judge, and DWIGHT D.
SULLIVAN, in his official capacity as
Galveston County Clerk
Plaintiffs,
Defendants.

[PROPOSED] PLAINTIFFS' PRETRIAL ORDER

Pursuant to the Court’s Order, Plaintiffs, Terry Petteway, the Honorable Derreck Rose, and Penny Pope (the “Petteway Plaintiffs”); Plaintiff United States of America; and Plaintiffs Dickinson Bay Area Branch NAACP, Galveston Branch NAACP, Mainland Branch NAACP, Galveston LULAC Council 151, Edna Courville, Joe A. Compiant, and Leon Phillips (the “NAACP Plaintiffs”) file the following Pretrial Order.

1. **Appearance of Counsel**

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2. Statement of the Case

Terry Petteway, Penny Pope, Derreck Rose, Dickinson Bay Area Branch NAACP, Mainland Branch NAACP, Galveston Branch NAACP, Galveston LULAC Council 151, Edna Courville, Joe A. Compiant, and Leon Phillips allege the new County Commissioners precincts adopted by the Galveston County Commissioners Court in November 2021 as racially gerrymandered, adopted with discriminatory purpose, and unlawfully diluting the votes of Galveston's Black and Latino voters.

The United States alleges that the Galveston County Commissioners Court plan enacted on November 12, 2021, violates Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, because it has the result of denying Black and Hispanic voters an equal opportunity to participate in the political process and to elect representatives of their choice by diluting their voting strength, and it was adopted, at least in part, with the intent to discriminate.

3. Pending Motions

None.

4. Exhibit Lists

Attached to this Pretrial Order are the following Exhibit Lists:

Plaintiffs' Exhibit List
Defendants' Exhibit List with Plaintiffs' Objections
Joint Exhibit List

5. Witnesses

Attached to this Pretrial Order are the following Witness Lists:

Plaintiffs' Witness List

Plaintiffs' Objections to Defendants' Witness List

In the event there are any other witnesses to be called at the trial, their names, addresses and the subject matter of their testimony will be provided to opposing counsel as soon as they are known. This restriction shall not apply to rebuttal or impeaching witnesses, the necessity of whose testimony cannot reasonably be anticipated before the time of trial.

6. Stipulation of Facts

Attached to this Pretrial Order is the Joint Stipulation of Facts.

7. Trial

This matter is a bench trial.

Plaintiffs anticipate that their case in chief to will take approximately 40 hours to present.

8. Additional Required Attachments

None.

SIGNED this _____ day of July, 2023.

*JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE*

Respectfully submitted this 18th day of July, 2023,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 18, 2023, the foregoing document, its appendix, and its exhibits were filed electronically (via CM/ECF), and that all counsel of record were served by CM/ECF.

/s/ *Sarah Xiyi Chen*